

FILED BY
Leslie Aronson
Executive Director
JLT 11/29/99

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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF SOCIAL WORK EXAMINERS

In The Matter Of	:	Administrative Action
	:	
KAREN LAWDER, LCSW	:	
	:	PROVISIONAL ORDER
Licensed to Practice	:	OF DISCIPLINE
Social Work in the	:	
State of New Jersey	:	

This matter was opened to the New Jersey State Board of Social Work Examiners ("Board") on information received which the Board has reviewed and on which the following preliminary findings are made:

FINDINGS OF FACT

1. Karen Lawder ("respondent") had been a licensee of the Board at all times relevant hereto.
2. On October 2, 1998, an Interim Consent Order was entered whereby it was ordered and agreed that respondent would not provide clinical social work services until such time as the Board concluded its investigation and either a Consent Order or Board Order had been filed. The basis for the Interim Consent Order was information received by the Board disclosing that respondent had

committed insurance fraud in her capacity as a patient, and that her professional knowledge and circumstances facilitated her commission of this fraud.

3. On or about June 8, 1999, a Judgment of Conviction, a copy which is annexed hereto and made a part hereof, was entered by the New Jersey Superior Court, Monmouth County, Law Division-Criminal. The Judgment of Conviction reveals that respondent entered a plea of guilty to the final charges of Health Care Claims Fraud in the 2nd degree in violation of N.J.S.A. 2C:21-4.3 and Forgery in the 4th degree in violation of N.J.S.A. 2C:21-1a(2).

4. Respondent was sentenced to the Custody of the Commissioner of Department of Corrections for three years for the Health Care Claims Fraud and for eighteen months for the Forgery, which is to be concurrent with the three years for Health Care Claims Fraud. Further, respondent shall forfeit public employment pursuant to N.J.S.A. 2C:51-2(a)(1).

CONCLUSIONS OF LAW

Pursuant to N.J.S.A. 45:1-21 (b) and(f), respondent's conduct as set forth herein constitutes grounds for the Board's refusal to issue a license or the Board's suspension or revocation of respondent's license to practice social work in the State of New Jersey in that respondent has been convicted of a crime which both involves moral turpitude and relates adversely to the profession, and that said conviction conclusively establishes that respondent engaged in fraudulent activity.

IT IS, THEREFORE, ON THIS 20th DAY OF OCTOBER 1999

ORDERED THAT:

1. The license of respondent Karen Lawder to practice social work in the State of New Jersey has not been renewed by respondent, and respondent's right to renewal is hereby extinguished effective upon the date the within Order becomes final pursuant to paragraph #3. Whereupon, respondent shall immediately surrender her expired license to the Board by sending it to Leslie Aronson, Executive Director, State Board of Social Work Examiners, 124 Halsey Street, 6th Floor, Newark, New Jersey 07101.

2. Respondent shall immediately cease and desist from engaging in social work in the State of New Jersey.

3. The within Order shall become effective and final at 5:00 P.M. on the 30th business day following entry hereof unless respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

a) submitting a written request for modification or dismissal to Leslie Aronson, Executive Director, State Board of Social Work Examiners, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101;

b) setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed;

c) submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

4. Any submissions will be reviewed by the Board, and the Board will thereafter determine whether further proceedings are

necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that submitted materials merit further consideration, a Final Order of Suspension will be entered.

5. In the event that respondent's submissions establish a need for further proceedings, including, but not limited to, an evidentiary hearing, respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary Findings of Fact and Conclusion of Law contained herein shall serve as notice of the factual and legal allegations in such proceedings.

NEW JERSEY STATE BOARD OF SOCIAL WORK EXAMINERS

By: Mariagnes Lattimer
Mariagnes Lattimer, MSW, LCSW
President

State of New Jersey		SOUTH COUNTY FILED JUN 08 1999		New Jersey Superior Court Law Division - Criminal Monmouth County	
Defendant: KAREN LAWDER (Specify complete name)		JAMES CARPENTER SUPERIOR COURT		<input checked="" type="checkbox"/> Judgment of Conviction <input type="checkbox"/> Change of Judgment <input type="checkbox"/> Order for Commitment <input type="checkbox"/> Indictment / Accusation Dismissed <input type="checkbox"/> Judgment of Acquittal	
Date of Birth: 6/20/63	SBI Number: 394887C				
Date of Arrest:	Date Indictment/Accusation Filed: 12/23/98				
Date of Original Plea: 12/23/98	Original Plea: <input type="checkbox"/> Not Guilty <input checked="" type="checkbox"/> Guilty				
Adjudication by: <input checked="" type="checkbox"/> Guilty Plea <input type="checkbox"/> Jury Trial		Date: 12/23/98 Date:		<input type="checkbox"/> Non-Jury Trial Date: <input type="checkbox"/> Dismissed / Acquitted Date:	
ORIGINAL CHARGES					
IND / ACC NO.	COUNT	DESCRIPTION	DEGREE	STATUTE	
98-12-2358A	1	Health Care Claims Fraud	2nd	2C:21-4.3	
	2	Forgery	4th	2C:21-1a(2)	
FINAL CHARGES					
COUNT	DESCRIPTION		DEGREE	STATUTE	
1	Health Care Claims Fraud	Amended to 3rd	3rd	2C:21-4.3	
2	Forgery		4th	2C:21-1a(2)	
<p>It is therefore, on 6/4/99 ORDERED and ADJUDGED that the defendant is sentenced as follows:</p> <p>Count 1: Three (3) years to the Custody of the Commissioner of Department of Corrections.</p> <p>Count 2: Eighteen (18) months to the Custody of the Commissioner of Department of Corrections concurrent to Count 1.</p> <p>Defendant shall forfeit public employment pursuant to N.J.S.A. 2C:51-2(a)(1).</p> <p><input type="checkbox"/> You are hereby sentenced to community supervision for life.</p> <p><input type="checkbox"/> The court finds that your conduct was characterized by a pattern of repetitive and compulsive behavior.</p>					
<input type="checkbox"/> It is further ORDERED that the sheriff deliver the defendant to the appropriate correctional authority.					
<input type="checkbox"/> Defendant is to receive credit for time spent in custody (R. 3:21-8).			TOTAL NUMBER OF DAYS	DATE (From/To)	
<input type="checkbox"/> Defendant is to receive gap time credit for time spent in custody (N.J.S.A. 2C:44-5b(2)).			TOTAL NUMBER OF DAYS	DATE (From/To)	
Total Custodial Term 3 years		Institution CCDC	Total Probation Term		

Administrative Office of the Courts
State Bureau of Identification

COPIES TO: CHIEF PROBATION OFFICER

STATE POLICE

AOC CRIMINAL PRACTICE DIVISION

DEPT OF CORRECTIONS OR COUNTY PENAL INSTITUTION

CPO106 (9/98)

Total FINE: \$

Total RESTITUTION: \$

If the offense occurred on or after December 23, 1991, an assessment of \$50 is imposed on each count on which the defendant was convicted unless the box below indicates a higher assessment pursuant to N.J.S.A. 2C:43-3.1. (Assessment is \$30 if offense is on or after January 9, 1986 but before December 23, 1991, unless a higher penalty is noted. Assessment is \$25 if offense is before January 9, 1986.)

(X) Assessment imposed on

count(s): 1

is \$ 50.00 each.

Total VOCB Assessment: \$ 50.00

() Installment payments due at the rate of \$

per

beginning (date):

If any of the offenses occurred on or after July 9, 1987, and is for a violation of Chapter 35 or 36 of Title 2C,

1) A mandatory Drug Enforcement and Demand Reduction (D.E.D.R.) penalty is imposed for each count. (Write in # times for each)

___ 1st Degree @ \$3000
___ 2nd Degree @ \$2000
___ 3rd Degree @ \$1000

___ 4th Degree @ \$750
___ Disorderly Persons or Petty Disorderly
Persons at \$500

Total D.E.D.R. Penalty \$

() Court further ORDERS that collection of the D.E.D.R. penalty be suspended upon defendant's entry into a residential drug program for the term of the program.

2) A forensic laboratory fee of \$50 per offense is ORDERED.
Offenses @ \$50 Total lab fees: \$

3) Name of Drugs involved: ~ ~ ~

4) A mandatory driver's license suspension of months is ORDERED.

The suspension shall begin today and end

Driver's License Number:

(IF THE COURT IS UNABLE TO COLLECT THE LICENSE, PLEASE ALSO COMPLETE THE FOLLOWING.)

Defendant's address:

Eye color:

Sex:

Date of birth:

() The defendant is the holder of an out-of-state driver's license from the following jurisdiction:

Driver's License Number:

() Defendant's non-resident driving privileges are hereby revoked for months.

If the offense occurred on or after February 1, 1993 but was before March 13, 1995, and the sentence is to probation or to a State Correctional facility, a transaction fee of up to \$1.00 is ordered for each occasion when a payment or installment payment is made. (P.L. 1992, c. 169). If the offense occurred on or after March 13, 1995 and the sentence is to probation, or the sentence otherwise requires payments of financial obligations to the probation division, a transaction fee of up to \$2.00 is ordered for each occasion when a payment is made. (P.L. 1995, c. 9).

If the offense occurred on or after August 2, 1993, a \$75 Safe Neighborhood Services Fund assessment is ordered for each conviction. (P.L. 1993, c. 220) \$ 75.00

If the offense occurred on or after January 5, 1994 and the sentence is to probation, a fee of up to \$25 per month for the probationary term is ordered. (P.L. 1993, c. 275)

Amount per month: \$

If the crime occurred on or after January 9, 1997, a \$30 Law Enforcement Officers Training and Equipment Fund penalty is ordered. 30.00

Name (Court clerk or Person preparing this form):

BONNIE KENNEDY-SINACORE, CRIM. DIV. MGR.

Telephone number:

732-431-7480

Name (Attorney for Defendant at Sentencing):

Brian J. Neary, ESQ.

STATEMENT OF REASONS - Include all applicable aggravating and mitigating factors.

The aggravating factor is the need for deterring the defendant and others from violating the law.

The mitigating factors are the defendant compensated the victim of her conduct for damage that it sustained; the defendant has no history or prior delinquency or criminal activity; the defendant's conduct was the result of circumstances unlikely to recur; the character and attitudes of the defendant indicate that she is unlikely to commit another crime or offense; and the defendant would be particularly likely to respond affirmatively to probationary treatment if available.

The court is clearly convinced that the mitigating factors substantially outweigh the aggravating factors and that the interests of justice require a sentence to a term appropriate to an offense one degree lower, that is a 3rd degree offense.

JUDGE (Name): PATRICIA
DEL BUENO CLEARY, J.S.C.

JUDGE (Signature):

DATE

6/4/99